

Notice of Allowability

Application No.

09/754,716

Examiner

Tan Le

Applicant(s)

HOEBENER ET AL.

Art Unit

3632



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/03/04.
2. ☒ The allowed claim(s) is/are 1-8,10-15,21-27 and 30.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12/05/01.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This is the sixth office action for serial number 09/754,716. This application contains 22 claims numbered 1-8, 10-15, 21-27 and 30. Claims 9, 16-20 and 28-39 have been canceled.

2. Claims 1-8, 10-15, 21-27 and 30 are allowed with the following Examiner's amendment:

EXAMINER'S AMENDMENT

3. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on November 22 with Mr. Daniel Tychonievich, *requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 02-0387 (75225.77) the required fee of \$ 110 for this extension and authorized the following examiner's amendment.* Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 30, line 1, "the mount of claim 28 wherein and (previously Presented)" has been deleted.

Claim 30, line 2, "claim 29" has been replaced with -- claim 27 --.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance: One major difference between each of independent claim 1, 2, 10, 13, 21 and 27 with respect to one the closest prior art Sedighzadeh (US 5,139,223) is that Sedighzadeh does not teach or suggest the swivel part having a slot where the slot has a nonuniform width with a first portion of the slot being wider than a second portion of the slot so that the swivel part does not fit through the second portion and engages the catch part adjacent the sides of the second portion (claim 1); the catch part including a retainer intersected by the slot and the retainer including an arcuate portion, the barrel-shaped member located under the arcuate portion to allow pivotal movement of the arcuate portion about the barrel-shaped member (claim 2); the upper catch part having a retainer portion with a seating surface, the catch part having a singular slot therein that is located centrally relative to side portion of the frame and extends into the seating surface (claims 10 and 21); the swivel part including a rotation member to allow rotation of the frame about a vertical axis (claim 13); and the tilting mechanism includes a barrel-shaped member bearing against an arcuate portion of the catch part (claim 27) in combination with other limitations of the claims which are not found in the art to be participated or rendered obvious the above claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (703) 305-8244.

The examiner can normally be reached on Mon. through Fri. from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan Le
November 22, 2004.



LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER